UNITED STATES PATENT AND TRADEMARK OFFICE

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10/539,697	06/16/2005	Nevenka Dimitrova	US020592	6571

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EXAMINER
LUONG, ALAN H

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 June 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 June 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some *   c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date *6/16/2005*.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This is the initial Office Action based on the 10/539697 application filed on June

16, 2005. Claims 1-13, as a 371 of PCT/IB03/05880 filed on 12/10/2003, which claims

benefit of Provisional application No. 60/434,579; filed on 12/19/ 2002; are currently

pending and have been considered below.

Claim Objections

2.   Claim 5 is objected to because of the following informalities: at line 4 of claim

recites" transcending" misspelling of "transcoding". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over US

2002/0044225 A1 published by Rakib (hereinafter Rakib), in view of US 2001/0021998

A1 published by Neal Margulis (hereinafter Margulis),

Regarding to claim 1. Figure 1 of Rakib illustrates "A residential gateway

system". The system comprises: "means (18, 20, 28, 42) for receiving

broadcast video signals from a variety of sources" [15] **see Rakib,**

Fig. 1, ¶0030, ¶0035); and "means (14) for displaying video signals"

[34] **see Rakib, Figs. 1, 2, ¶0038)** for displaying video signals). A "residential

gateway (10) coupled to said receiving means **(18, 20, 28, 42)**

for selectively displaying video signals on said display means"

[14] **see Rakib, Fig. 1, ¶0039);** as shown in Figure 2, Rakib discloses "a

handheld controller (50)" [70]" having a display screen (52)"[92]

that is "coupled to said residential gateway (10) via a network

channel (48)[72A/B] for communicating with and controlling said

residential gateway (10) **see Rakib, ¶0048, ¶0052)** and comprises:

"means (44, 66) for storing attributes of said handheld

controller (50) and of said network channel (48)"[118]as necessary

for matching the bandwidth of the data path during rateshaping activities(**see Rakib,**

¶0092). Finally, Rakib discloses "transcoding means (68) for

transcoding video signals, in response to said stored

attributes, for transmission on said network channel (48)" [72

A/B], to said "handheld controller (50)"[70] whereupon, "said

transcoded video signals are capable of being handled by said

network channel (48) and of being displayed on the display

screen (52) of said handheld controller (50) without further

processing in said handheld controller (50)" given that the video signal

has already been processed **(see Rakib, ¶0053, ¶0056, ¶0076, ¶0092, and ¶0124).**

However, Rakib is silent with respect to "storing attributes of said

handheld controller" [50].

In an analogous art directed toward a similar problem namely improving the results from

the attribute of components in the system, Margulis teaches `storing attributes`

`of a handheld controller` `[128]`and subsequently using those attributes for

transcoding. **(see Margulis ¶0057)** is a known technique in the art. Accordingly, it would

have been obvious to one having ordinary skill in the art at the time of the invention was

made to modify the residential gateway system of Rakib, to store attributes of the

handheld controller as taught by Margulis in order to distribute media to be properly

displayed in accordance with the remote devices capabilities...

5.   Claims 2, 3, 5, 6 and 7 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rakib and Margulis ; in view of (US 2002/0002707 A1) published by

Ekel et al.(hereinafter Ekel)

        Regarding to claim 2. Rakib and Margulis disclose response to **the attributes of**

said network channel (48) in claim 1 above; Rakib also discloses a personal digital

assistant (PDA) having wireless capabilities **(handheld controller (50))** data can be

exchanged with the transceiver of a home gateway or some settop decoder with a

transceiver on a LAN coupled to the gateway. PCMCIA or springboard modular wireless

transceiver or wireless LAN NIC (hereafter just PC card) 380 provides the connectivity

to the gateway either directly or through a wireless or other LAN coupled to the gateway

to send and receive commands and data determine **the bandwidth capabilities of the**

network channel (48) and the display screen (52); **see Rakib, Fig. 9, ¶0142 and**

¶0143), including the resolution and refresh rate of the display screen (52 and a

transcoders 161 **(the transcoding means (68))** transcodes the video signals to

conform with at least the bandwidth of the display screen (52) ; **see Rakib, Fig. 5,**

¶0092), However, Rakib is silent with the handheld controller (50) comprises the screen

size, processing power, and battery life.

In an analogous art directed toward a similar problem namely improving the results

from display screen of handheld remote control; Ekel discloses "the handheld controller

(50) "comprises "screen size, processing power, and battery life"; **see Ekel, Fig. 5,**

¶0032)

Accordingly, it would have been obvious to one having ordinary skill in the art at the

time of the invention was made to modify the remote display screen in Rakib so as to

depend on the screen size, processing power, battery life as taught by Ekel; in order to

presents a portion of the content on the controller display. The "portion" of the content

may mean a reduction in size, a selection of particular components, or a simplified

representation of the full content if the content includes video, animation, or other

complex subject matter; **see Ekel; ¶0010).**

Regarding to claim 3: The residential gateway system as claimed in claim 2, Rakib

also discloses the residential gateway system further comprises typical peripherals in a

customer premises that the gateway couples to the headend circuitry that service them

are: digital VCR 38, home computer 40, network computer 44, digital security video

camera 46 and digital telephone or videophone 48; **see Rakib, Fig. 1, ¶0039)** DVD

player 324 ; **Fig. 9 (means (22, 30, 32, 41));** it was well known in the art at the time of

the invention to understand these devices functions for storing video signals and for

playing back stored video signals . Rakib also discloses the transcoders 161

(**transcoding means (68**) is capable of transcoding stored video signals (**see Rakib,**

Fig. 5, ¶0092). Margulis also teaches transcoding the video signals by performing a

video content analysis in a wireless base station 156 (same as the gateway 10) **see**

Margulis, Figs 1, 8, ¶0082 to ¶0086).

 Regarding to claim 5: The residential gateway system as claimed in claim 3 above,

Rakib further discloses "means (18, 20, 28, 42) for receiving news, weather, traffic and

other live information" **(see Rakib, ¶0104 to ¶0106).** Moreover, Margulis further

teaches a "transcoding means (68)" [538] is capable of transcoding said live

information in the form of a text streamer for transmission to said handheld controller" (

see Margulis, Fig. 5, ¶0061).

Regarding to claim 6: The residential gateway system as claimed in claim 4 above,

Rakib further discloses " the handheld controller" (50)[399] comprises "a memory 60"

[408] for "storing profile information concerning a plurality of users of said handheld

controller (50)"(**see Rakib Figs. 9, ¶0142-¶0145).** Margulis further teaches "the profile

information including guidelines of which transcoding process" **(Margulis, Figs 1, 8,**

¶0082 to ¶0086) in claim 3; is desired by the selected user ; **see Margulis, ¶0092 to**

¶0093).

6.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rakib,

Margulis and Ekel et al. ; in view of (US 2004/0250273 A1) published by Scott Swix et

al.(hereinafter Swix)

Regarding to claim 7: The residential gateway system as claimed in claim 5, Rakib

explicitly discloses (handheld controller (50)[399] further comprises "a memory (60) for

storing profile information concerning a plurality of users of said handheld controller

(50), said profile information including guidelines of which transcoding process is

desired by the selected user", **see Rakib Figs. 9, ¶0142-¶0145)**

However, Rakib is deficient autonomously providing a priority setting in said user profile.

In an analogous art directed toward a similar problem namely improving the results from

the video content analysis, Swix teaches "a priority setting in said user profile"; (Swix,

¶0064-¶0066, ¶0072). It would have been obvious to one having ordinary skill in the art

at the time of the invention was made to modify the residential gateway system of

Rakib, Ekel and Margulis to include the transcoded text streamer based on a priority

setting in said user profile as taught by Swix for the combination of entertainment video

and data streams on the same transport is also optimized for the purpose of providing

enhanced multimedia services based on the priority of user profile.

7.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rakib,

Ekel, and Margulis; in view of US 2002/0083471 A1 published by Agnihotri et al.

Regarding to claim 4: Neither Rakib nor Ekel and Margulis teaches the video content

analysis, alternatively, providing a series of still images and a text summarization of the

stored video signals, and providing a series of relevant video clips and audio clips.

In an analogous art directed toward a similar problem namely improving the results from

the video content analysis; Agnihotri teaches the video content analysis, alternatively,

providing a series of still images and a text summarization of the stored video signals,

and providing a series of relevant video clips and audio clips (**Agnihotri; Fig. 2, ¶0040,**

¶0044, ¶0056, ¶0057, ¶0065, ¶0077, and ¶0078). It would have been obvious to one

having ordinary skill in the art at the time of the invention was made to modify the

residential gateway system of Rakib to include the video content analysis, alternatively,

providing a series of still images and a text summarization and series of relevant video

clips and audio clips as taught by Agnihotri for providing a multimedia summary of a

video program using transcript information and video segments of the video program.

There is also a need in the art for an improved system and method for providing a

multimedia summary of a video program that may be accessed by a viewer at the start

of any topic or subtopic in the video program **(Agnihotri. ¶0007).**

8.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rakib,

Ekel, Margulis and Agnihotri et al; view of US Patent 7,181,757 B1 issued to Kim et al.

and further in view of US 2002/0088723 A1 published by Ma et al.

9.   **Regarding to claim 8:** Neither Rakib, Ekel, Margulis nor Agnihotri et al teaches

the profile information includes user priorities for topics, time of day, location, available

time for watching previews and full-length videos.

In an analogous art directed toward a similar problem namely improving the results from

the video content analysis, Kim teaches "the profile information includes user priorities

for topics, time of day, location, available time for watching previews and full-length

videos"; **(Kim, col. 6 line 51 to col. 7 line 10)**, It would have been obvious to one

having ordinary skill in the art at the time of the invention was made to modify the

residential gateway system of Rakib, Kim, Ekel, Margulis and Agnihotri et al. to include

the profile information includes user priorities for topics, time of day, location, available

time for watching previews and full-length videos as taught by Kim to provide access to

the original video from summary segments constituting the video summary and provide

sufficient audio summary description functionalities **(Kim, col. 2 lines 5-16 and col. 8**

lines 41-46). However, these Rakib, Ekel, Margulis, Agnihotri et al and Kim et al fail to

teach using the attributes of the video signals, in a weighting scheme along with said

user priorities wherein said user priorities are highest weighted.

In an analogous art directed toward a similar problem namely improving the results from

the video content analysis in a weighting scheme; Ma teaches "in a weighting scheme

along with the user priorities are highest weighted"; **Ma,Fig. 2, ¶0059-¶0061)**. It would

have been obvious to one having ordinary skill in the art at the time of the invention was

made to modify the residential gateway system of Rakib, Kim et al , Ekel, Margulis, and

Agnihotri et al to include a weighting scheme along with the user priorities as taught by

Ma et al. for providing the systems and methods address these and other limitations of

conventional arrangements and techniques to analyze and summarize video data.

10.   Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rakib,

Ekel el al. and Margulis; in view of US 2002/0088723 published by Ma et al.

Regarding to claim 9: Rakib, Ekel el al. and Margulis are silent the audio-visual

summaries including images representing scenes in the video signals;

In an analogous art directed toward a similar problem namely improving the results from

analysis scenes in the video signals; Ma teaches the audio-visual summaries including

images representing scenes in the video signals; **Ma, ¶0109)**. It would have been

obvious to one having ordinary skill in the art at the time of the invention was made to

modify the residential gateway system of Rakib, Ekel, and Margulis to include the audio-

visual summaries including images representing scenes in the video signals as taught

by Ma el al. to give reasonable results combining language understanding techniques

with visual feature analysis; **Ma, ¶0008)**.

11.   Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rakib, Ekel el al. and Margulis; in view of US 2003/0182661 A1 published by Ellis et al.

Regarding to claim 10: Margulis further teaches the residential gateway (10) provides

a table of contents for each of the programs represented by video signals stored by the

video signal recording and playback means (22, 30, 32, 41), said transcoding means

(68) transcoding said table of contents for said handheld controller (50), said handheld

controller (50) displaying said table of contents,; **Margulis, Fig. 6, ¶0073)**. However, it is

silent with the handheld controller (50) having means (56) for selectively deleting

selected portions of a selected one of the programs thereby forming an edited program,

said edited program being subsequently displayed on said displaying means (14).

In the same field of remote access to EPG system; Ellis teaches "the user can select or

delete channels from the viewer preference list in any desired order...". **Ellis; Fig.8,**

¶0187)," a data processor (**means (56)**) executes an interactive computer program

used to edit the program listings data before it is transmitted to the user and stored in

memory. The interactive system operates as follows: unedited (or partially edited)

program listings information is loaded into the data processor..." ; **Ellis; Fig.42, ¶0207-**

¶0213). It would have been obvious to one having ordinary skill in the art at the time of

the invention was made to modify the residential gateway system of Rakib, Ekel, and

Margulis to include an interactive computer program used to edit the program listings

data as taught by Ellis to provide the user with a need for an electronic guide system

providing a reliable and efficient method of updating or replacing the application

software that implements the electronic guide at the user sites. **¶0017)**, and the ability to

select from among a plurality of display formats for the program schedule information;

¶0022).

Regarding to claim 11: The residential gateway system as claimed in claim 10, Ekel et

al. also teaches "the table of contents is stored with the video signals of each of the

programs"; **(see Ekel, Figs. 1 and 4, ¶0004, ¶0031, ¶0046)**

Regarding to claim 12: The residential gateway system as claimed in claim 10, Ekel et

al. also teaches "the table of contents is obtained from the Internet by the residential

gateway system" **(see Ekel, Fig. 2, ¶0007, ¶0022, ¶0024)**

Regarding to claim 13: The residential gateway system as claimed in claim 10, in a

Fig. 7 Ellis also discloses "means (56)"[70] for locking out selected programs or portions

of programs from being viewed on "**displaying means (14)**"[27] (**Ellis; Fig. 4, 7, 30, 39,**

¶0154- ¶0162, ¶0168, ¶0176 and ¶0189).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN LUONG whose telephone number is (571)270-5091. The examiner can normally be reached on Mon.-Thurs., 8:00am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. L./
Examiner, Art Unit 2623

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623